



U.S. Department of Justice

Civil Rights Division

BLL:BFK:bbm
DJ 144-72-1991

*Criminal Section
P.O. Box 66018
Washington, D.C. 20035-6018*

Lewis Garrison, Esquire
100 North Main Building
Suite 1025
Memphis, Tennessee 38103

MAR 19 1999

Dear Mr. Garrison:

Thank you for the opportunity on March 18, 1999, to discuss with you the issue of immunity for your client, Loyd Jowers. This letter is intended to memorialize that conversation and to assist you in presenting an immunity proposal to your client.

You expressed concern that this investigation is questioning the credibility of your client's allegations. I confirmed that we do currently have such concerns for two reasons. First, there has been a substantial and inexplicable delay in your response to my proposal for immunity offered in my letter to you of November 19, 1998. While I have sent you several letters and left many messages for you to call me, you have never returned my calls and have not responded in writing in a timely manner. After four months, according to you as of yesterday, you still had not discussed my immunity proposal with your client. Such conduct raises doubts about the seriousness and sincerity of your public position that you and your client want an immunity grant.

Additionally, notwithstanding your claims otherwise, your client has offered different information on materially significant facts in his allegations over the years. In our conversation yesterday, you indicated the only material contradiction attributable to your client was his statement to District Attorney General investigator Mark Glankler that the rifle belonging to James Earl Ray was the only rifle involved in the killing, there was no second rifle. You indicated that statement was a false statement by your client, motivated by a desire to stop Glankler from bothering his family and Jowers' interest in promoting the success of a motion, then pending, to test the Ray rifle, which test he believed would eliminate that rifle as the murder weapon. I contend that this is not the only example of material contradiction by your client. These material contradictions raise questions about the credibility of your client. However, as I said in our conversation, I am only aware of your client's statements according to others. For that

reason, it is imperative that I have a proffer of his allegation from him before I can properly make an immunity decision.

Accordingly, I am again proposing that you provide me a copy of the October 27, 1997 video recording of the interview of your client by Dr. Pepper and Mr. Dexter King. That recording, as you indicated in our conversation, is an accurate account of Mr. Jowers allegation. It will allow me and Mr. Campbell the opportunity to review your client's allegation as related directly by him. As I stated, we will agree not to use anything in the proffer against Mr. Jowers. Consequently, his Fifth Amendment Right can be protected while providing a proffer.

Without a proffer, we are unwilling to consider immunity. It would be irresponsible for any prosecutor to do otherwise.

On October 12, 1998, in response to my inquiry to speak to your client, you indicated that he would likely want immunity before he cooperated. As soon as you confirmed that fact to me, I provided you with a immunity proposal. Four months later, we still have no answer from you. We are well into the investigation of what we understand your client's allegations to be and are still awaiting a response to our immunity proposal.

You agreed to provide me an answer by March 22, 1999. I appreciate that commitment. Your client should know that this investigation cannot wait any longer for his decision. If we do not hear from you by March 22, we do not intend to pursue the matter any further. We will not continue to bother you or your client if he has no interest in quickly seeking to resolve this matter.

We are committed to obtaining truthful information in a timely manner regarding the assassination of Dr. Martin Luther King, Jr. We hope you and Mr. Jowers will assist us.

Our position should be clear. If not, please call me at 202-514-4067.

Sincerely,

Bill Lann Lee
Acting Assistant Attorney General
Civil Rights Division

By:

Barry F. Kowalski
Special Litigation Counsel
Criminal Section